



How to Prepare for an Inspection

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**What to
Expect
When
You're
Inspected**



DELAWARE DEPARTMENT OF
NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL

What Will I Talk About Today?

- What is an Inspection?
- Types of Inspections
- Pre-Inspection
- On-Site Inspection
- Records Review
- Follow-Up
- Inspection Requirements for DAQ



A scenic landscape featuring a calm body of water in the foreground, surrounded by tall, golden-brown grass. In the background, there is a dense line of green trees under a clear blue sky. A white rectangular box is overlaid in the center of the image, containing the text "What is an Inspection?".

What is an Inspection?

What is an Inspection?

- Visit to a facility or site to gather information to determine if it is in compliance.
- Inspections include both off-site and on-site portions.
- The off-site portion of an inspection typically includes document review and discussion
- The on-site portion of the inspection may include:
 - interviewing facility or site representatives,
 - reviewing records and reports,
 - taking photographs,
 - collecting samples, and
 - observing facility or site operations.



Partnership

- DAQ considers itself a partner in compliance
- The best inspections are those resulting in compliance
- DAQ is committed to being respectful and professional on all inspections





Types of Inspections

A close-up, profile view of two construction workers. The worker in the foreground is a Black man wearing a yellow hard hat, safety glasses, and a green button-down shirt over a blue t-shirt. He is looking off to the right with a slight smile. Behind him, another worker wearing a white hard hat and safety glasses is partially visible, also looking in the same direction. The background is bright and out of focus.

Types of Inspections

- Construction to Operation
- Routine Full or Partial Compliance Evaluations
- Complaint Follow-Up

Construction to Operation (C to O) Inspection

- After new equipment is constructed, it must be inspected before an operating permit is issued and operation can begin
- The C to O inspection will ensure:
 - The equipment in the application was the equipment that was installed
 - The equipment is in good working order
 - The facility understands the requirements of the permit
 - The facility is prepared to conduct emission calculations and maintain records as required by the permit

C to O Inspection

- Prior to the C to O inspection the equipment may be operated only for troubleshooting, testing, tweaking, etc.
- The equipment may not be operated for production!!
- If all is well... The Operation Permit will be issued as soon as possible following a successful inspection.
- Permit writers MAY NOT give a company an operating permit during the Construction to Operation Inspection or issue verbal permission to operate.

Full Compliance Evaluation

- The Environmental Protection Agency (EPA) has specific requirements for an inspection to count as a Full Compliance Evaluation (FCE):
 - All equipment covered by the permit that is in operation must be evaluated
 - All required reports and the underlying records must be reviewed
 - An assessment of process parameters, such as feed rates, raw material compositions, and process rates must be conducted
 - Opacity and odor observations must be conducted

Partial Compliance Evaluation (PCE)

- A PCE incorporates some of the requirements of an FCE
- A PCE may be conducted for specific equipment only
- A PCE may only include record review
- Multiple PCEs may be combined to meet the requirements of an FCE





Complaint Follow-Up

- If DAQ receives a complaint about a facility a follow-up inspection may be conducted
- The complaint follow-up inspection will:
 - Confirm the complaint
 - Investigate possible causes of the complaint
 - Discuss potential solutions to resolve the issue



A scenic landscape featuring a calm body of water in the foreground, surrounded by tall, golden-brown grass. In the background, there is a dense line of green trees under a clear blue sky. A white rectangular box is overlaid in the center of the image, containing the text "Pre-Inspection" in a blue, sans-serif font.

Pre-Inspection

Setting Up the Inspection

- Inspections may or may not be announced
- If an inspection is announced DAQ will reach out to schedule it
- When selecting a day and time for the inspection please consider:
 - Operating schedules
 - Equipment maintenance
 - Equipment down-time
- If all of the equipment can't be observed in operation DAQ may have to return

Personal Protective Equipment (PPE)

- DAQ personnel have the following PPE:
 - Hard hats
 - Safety shoes
 - Safety glasses
 - Hearing protection
 - High visibility vests
 - Nomex coveralls
- Please provide any required PPE that is not listed
- Please note that DAQ will never provide breathing apparatus PPE



Site Entry Requirements

- Please provide DAQ personnel with any site entry requirements including:
 - Required PPE
 - Required site training
 - Where to park
 - Where to meet
 - Covid protocols

Covid Vaccination Requirements

- DAQ employees are not required to be vaccinated
- DAQ management can't ask about an employee's vaccination status
- If your site requires proof of vaccination, DAQ may elect to share that information with you
- Issues are handled on a case-by-case basis

Records Review

- Prior to the inspection, DAQ personnel may reach out with a list of records that will be reviewed
- Providing this information in a timely fashion will help expedite the inspection
- Providing Excel spreadsheets with the formulas available for review will help expedite the inspection
- DAQ personnel have the right to review ALL records on site

Review Permit

- It is a requirement of all permits that a copy of the permit be maintained on site
- Read your permit prior to the inspection to be sure you understand all permit conditions
- If you don't understand a permit condition reach out to DAQ

A scenic landscape featuring a body of water, tall grasses, and a line of trees under a clear blue sky. The water is calm and reflects the sky. The grass is tall and green, with some yellowing at the tips. The trees are dense and green, forming a backdrop for the scene.

On-Site Inspection

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Overall Site Evaluation

- DAQ personnel will complete a full site walkthrough to observe
 - General housekeeping
 - General safety practices
 - Opacity
 - Odor
 - Fugitive dust
 - Equipment that may need a permit
 - Etc.
- Please plan to escort DAQ personnel around the entire site
- Golf carts or other equipment may be used to facilitate the site walkthrough

Permitted Equipment Evaluation

- DAQ personnel will evaluate all equipment that is permitted
- This evaluation will include:
 - Observation of the equipment in operation
 - General maintenance
 - Work practices
 - Gauges
 - Logs maintained at or near the equipment
 - Visible emissions
 - Odors
- DAQ personnel may need to climb ladders or traverse walkways to observe equipment
- DAQ personnel will NEVER enter a confined space

Interviews

- DAQ personnel may interview site representatives
- Questions may include:
 - Describing a standard process
 - Describing maintenance
 - Common errors
 - How calculations are conducted
 - How, where, and how often measurements are taken
 - Etc.



On-Site Record Review

- Some records may only be available on-site
 - Equipment monitoring records
 - Safety Data Sheets (SDSs)
 - Operation Manuals
 - Standard Operating Procedures
 - Etc.
- DAQ will review these records



Stack Testing

- Some permits require that stack testing be conducted
- Stack testing must be conducted pursuant to approved EPA test methods
- A stack testing protocol must be reviewed and approved by DAQ
- All stack tests must be observed by DAQ so be sure to coordinate the test date with the stack testing team
- All stack test reports must be reviewed by DAQ



Records Review

Records Review

- The records review may be the most important part of an inspection
- Used to determine compliance on all of the days that DAQ can't be on-site
- Records must demonstrate compliance with operational limitations, testing and monitoring requirements, and emission limitations
- Records review is where most violations are noted
- IF YOU DON'T HAVE RECORDS TO DOCUMENT COMPLIANCE YOU ARE NOT IN COMPLIANCE



Good Practice



Share all requested records in a timely fashion



Share excel spreadsheets, standard operating procedures and calculation methodologies to support the record review



Be willing to answer questions about the records



Follow Up

Additional Information Requests

- Observations made during the inspection and/or records review may generate additional questions
- DAQ will reach out with any questions and specify what is required to answer the questions
- You must answer the questions in a timely fashion
- DAQ has reporting and timeliness deadlines set by EPA. Failure to respond to an information request may result in additional oversight by EPA.



Inspection Findings Letter

- Once all questions have been answered DAQ will issue an operating permit or findings letter
- An operating permit will be issued for a C to O inspection
 - If you receive the operating permit that indicates compliance
- A findings letter will be issued for other inspections
- Findings may be:
 - In compliance
 - Deviations
 - Violations
 - Deviations and violations

Deviations

- If deviations are found DAQ will include corrective actions in the findings letter
- It is important to address the corrective actions in the findings letter by the deadline specified in the letter
- Deviations may become violations if they are not addressed

Violations

- If violations are found DAQ will include corrective actions in the findings letter
- It is important to address the corrective actions in the findings letter by the deadline specified in the letter
- The severity of the violations and the degree of cooperation in addressing them is considered in enforcement action
- Violations will result in a separate Notice of Violation (NOV)



Inspection Requirements for DAQ

Compliance Monitoring Strategy

- Every two years DAQ must submit a Compliance Monitoring Strategy (CMS) Plan to EPA Region III
- This plan outlines the Title V and Synthetic Minor sources that DAQ will inspect each federal fiscal year
- DAQ must inspect Title V sources every two years
- DAQ must inspect Synthetic Minor sources every five year

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Report Reviews

- DAQ must review all reports that are submitted
- Title V Annual Compliance Certifications must be sent to EPA in addition to DAQ

State Review Framework (SRF)

- EPA conducts a full audit of DAQ's inspection and enforcement program every five years
- The next SRF review for DAQ is scheduled for federal fiscal year 2025
- This review will cover work completed in federal fiscal year 2024
- EPA reviews inspection reports and enforcement actions to ensure DAQ meets requirements
- Delaware was last inspected in federal fiscal year 2019 during which 2018 records were reviewed
- Delaware was in compliance
- Please note that the federal fiscal year runs from October 1 through September 30

Timely and Appropriate Meetings

- DAQ must meet with EPA Region 3 quarterly to review progress on inspections, compliance and enforcement
- These meetings are used to ensure that DAQ is staying on track with all requirements



ICIS-AIR

- EPA database in which Delaware is required to report compliance and enforcement data
- EPA's public information database, ECHO, pulls data from ICIS-Air

Questions?

